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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,633	12/13/2001	Timothy P. Stammers	062891.0617	9205
5073	7590	12/12/2005	EXAMINER	
BAKER BOTTS L.L.P.			FERRIS, DERRICK W	
2001 ROSS AVENUE			ART UNIT	
SUITE 600			PAPER NUMBER	
DALLAS, TX 75201-2980			2663	

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/020,633	Applicant(s) STAMMERS ET AL.	
	Examiner Derrick W. Ferris	Art Unit 2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2001.  
 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1,3-5,7-19 and 21-28 is/are rejected.  
 7) ☒ Claim(s) 2,6 and 20 is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☒ The drawing(s) filed on 13 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All b) ☐ Some \* c) ☐ None of:  
 1. ☐ Certified copies of the priority documents have been received.  
 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 3, 4, 11, 12, 16, 21, 22, and 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application 2002/0105969 A1 to *Benedyk et al.* ("*Benedyk*") in view of U.S. Patent Application 2002/0075900 A1 to *Turina et al.* ("*Turina*").

As such to **claim 1**, *Benedyk* discloses applicant's radio node controller 18 as RNC 102, and applicant's signaling gateway 16 as RANGW 304, see e.g., figures 3 and 5. As shown in figure 5, the SS7 network is ATM and the core network 302 is IP, see e.g., paragraph 0026 on page 2. In particular, *Benedyk* teaches replacing the SSCP layer with the SUA layer, see e.g. paragraph 0036 on page 4 and figure 7 thus teaching operable to map the SS7 formatted information into Internet Protocol information and further operable to transport the IP formatted information in an Stream Control Transmission Control Protocol (SCTP) associated with the ATM virtual circuit. A mobile unit is inherently taught since the network is a radio network such that communication over the radio network would occur using a mobile device.

*Benedyk* is silent or deficient to the further limitation of a mobile switching center. In particular, *Benedyk* teaches a mobile gateway MGC 506 as the destination, see e.g., figure 7, which is on the IP network.

*Turina* teaches the further recited limitation above at e.g., figure 4.

The proposed modification of the above-applied reference(s) necessary to arrive at the claimed subject matter would be to modify *Benedyk* by clarifying that the mobile gateway MGC 506 is a mobile switching center.

As such, examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to include the above limitation. In particular, the motivation for modifying the reference or to combine the reference teachings would be to communicate over a mobile network such as a third generation network. In particular, *Turina* cures the above-cited deficiency by providing a motivation found at paragraph 0059 on page 4. Thus the references teach the above claim limitation(s).

As to **claim 3**, both references teach the limitation since the connection is identified based on the translation.

As to **claim 4**, the reference value is the address translation which is also stored at the destination device. With respect to a MSC, see e.g., *Turina* which teaches storing the address translation at the destination device which is the MSC.

As to **claim 11**, see similar rejection to claim 1. Note that each RNC has a PVC to the gateway view the HSL card as taught by *Benedyk*.

As to **claim 12**, the association is maintained based on the mapping (i.e., the association is taught throughout the system of *Benedyk*). Note that each RNC has a PVC such that an "association" is maintained between ATM PVCs and SCTP streams since each RNC has a "path", see e.g., paragraph 0049 on page 5 of *Benedyk*.

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As to **claim 16**, see similar rejection to claim 11.

As to **claim 21**, see similar rejection to claim 11.

As to **claim 22**, see similar rejection to claim 12.

As to **claim 26**, see similar rejection to claim 11.

3. **Claims 5, 7-10, 13-15, 17-19, 23-25 and 27-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application 2002/0105969 A1 to *Benedyk et al.* ("*Benedyk*") in view of U.S. Patent Application 2002/0075900 A1 to *Turina et al.* ("*Turina*") in further view of U.S. Patent Application 2001/0053145 A1 to *Willars et al.* ("*Willars*").

As to **claim 5**, *Benedyk* and *Turina* may not explicitly teach a response message.

In particular, *Benedyk* teaches that communication may be bi-directional, see e.g., paragraph 0038 on page 4 and paragraph 0055 on page 6.

*Willars* teaches a response message as shown e.g., figure 3a as IP response 3a-5.

The proposed modification of the above-applied reference(s) necessary to arrive at the claimed subject matter would be to modify at least *Benedyk* by clarifying that response messages are well known in the art.

As such, examiner notes that it would have been obvious to one skilled in the art prior to applicant's invention to include the above limitation. In particular, the motivation for modifying the reference or to combine the reference teachings would be to response to a request message. In particular, *Willars* cures the above-cited deficiency by providing a motivation found in figure 3a. Thus the references teach the above claim limitation(s).

As to **claim 7**, in addition to similar reasoning used for claim 5, see e.g., figure 5a of *Willars* where the reference value is shown as the response information in the request message 5a-5 sent over the IP network.

As to **claims 8-10**, see similar rejection to claim 5. In addition, the information is transmitted between the radio node controller and mobile gateway (MSC) as SUA over SCTP which is over IP. The message is then translated to SS7 over the ATM network, see e.g., figure 7 of *Benedyk*.

As to **claim 13**, see similar rejection to claim 8.

As to **claim 14**, see similar rejection to claim 8 where the request message is sent in response to a response message from the originator.

As to **claim 15**, see similar rejection to claim 7.

As to **claim 17**, see similar rejection to claim 5.

As to **claim 18**, see similar rejection to claim 10.

As to **claim 19**, see similar rejection to claim 7.

As to **claim 23**, see similar rejection to claim 13.

As to **claim 24**, see similar rejection to claim 14.

As to **claim 25**, see similar rejection to claim 15.

As to **claim 27**, see similar rejection to claim 13.

As to **claim 28**, see similar rejection to claim 12.

***Allowable Subject Matter***

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4. **Claims 2, 6, and 20** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derrick W. Ferris whose telephone number is (571) 272-3123.

The examiner can normally be reached on M-F 9 A.M. - 4:30 P.M. E.S.T.

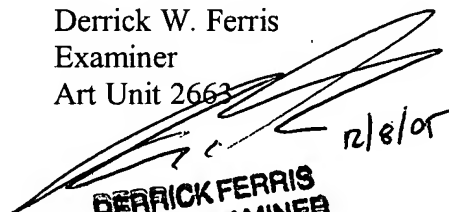
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571)272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DWF

Derrick W. Ferris  
Examiner  
Art Unit 2663

  
**DERRICK FERRIS  
PATENT EXAMINER**